

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

SHELBY ELECTRIC COOPERATIVE ) DOCKET NO.  
-vs- ) 00-0646  
CENTRAL ILLINOIS PUBLIC SERVICE COMPANY )  
Complaint based upon Section 6 of the )  
Electric Supplier Act, 220 ILCS 30/6. )

Springfield, Illinois  
April 10, 2001

Met, pursuant to notice, at 1:30 P.M.

BEFORE:

MR. WILLIAM SHOWTIS, Examiner

APPEARANCES:

MR. JERRY TICE  
101 East Douglas  
P.O. Box 530  
Petersburg, Illinois 62675

(Appearing by telephone conference on  
behalf of Shelby Electric Cooperative)

MR. CHARLES NORTHRUP  
Sorling, Northrup, Hanna, Cullen & Cochran,  
Ltd.  
607 East Adams Street  
Springfield, Illinois 62705

(Appearing on behalf of Central Illinois  
Public Service Company)

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
Ln. #084-002710

1 I N D E X

2 WITNESSES DIRECT CROSS REDIRECT RECROSS

3 (None)

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10 I N D E X

11 EXHIBITS MARKED ADMITTED

12 (None)

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1 PROCEEDINGS

2 EXAMINER SHOWTIS: Pursuant to the authority  
3 vested in me by the Commission I now call for hearing  
4 Docket 00-0646 which is a complaint by Shelby Electric  
5 Cooperative versus Central Illinois Public Service  
6 Company under the Electric Supplier Act.

7 Will the parties please enter their  
8 appearances for the record?

9 MR. NORTHRUP: Charles Northrup for CIPS, 607  
10 East Adams, Springfield, Illinois 62705, 544-1144.  
11 Also with me today is John Carls.

12 MR. TICE: Jerry Tice, attorney at law, 101  
13 East Douglas, Petersburg, Illinois, appearing on  
14 behalf of Shelby Electric Cooperative. My phone  
15 number is (217) 632-2283.

16 EXAMINER SHOWTIS: It's my understanding that  
17 CIPS and Shelby have reached an agreement on an  
18 amendment to their Service Area Agreement that would  
19 resolve this docket and the subject matter of three  
20 other complaints that are pending before the  
21 Commission that affects CIPS and Shelby, is that  
22 correct?

1           MR. TICE: That's correct.

2           MR. NORTHRUP: That's correct.

3           EXAMINER SHOWTIS: CIPS and Shelby intend to  
4 file a joint petition that would request approval of  
5 the amendment to the Service Area Agreement. Mr. Tice  
6 or Mr. Northrup, could you just give me an approximate  
7 date when you think that joint petition could be filed  
8 with the Commission?

9           MR. TICE: Two weeks.

10          MR. NORTHRUP: About two weeks, within two  
11 weeks.

12          EXAMINER SHOWTIS: As I understand it, the  
13 language in the amendment to the Service Area  
14 Agreement has been agreed to by CIPS and Shelby, and  
15 there is just a few matters such as obtaining  
16 signatures and getting formal approval of the board,  
17 Shelby's board.

18          MR. TICE: Shelby's board has formally  
19 approved it, Mr. Examiner. The officers have to sign  
20 it.

21          EXAMINER SHOWTIS: So we are just talking  
22 about getting some signatures?

1           MR. TICE: Uh-huh.

2           EXAMINER SHOWTIS: It is the position of both  
3 CIPS and Shelby that the complaint in this proceeding  
4 should be dismissed with prejudice on the condition  
5 that the Commission enter an order approving the joint  
6 petition for approval of the amendment to the Service  
7 Area Agreement?

8           MR. TICE: That is correct, on behalf of  
9 Shelby.

10          MR. NORTHRUP: That is correct.

11          EXAMINER SHOWTIS: Rather than requiring CIPS  
12 and Shelby to file a written motion requesting  
13 dismissal of this complaint with prejudice on that  
14 condition, I will consider your representations today  
15 to be a joint oral motion to dismiss this complaint  
16 without prejudice on that condition.

17          MR. NORTHRUP: That's fine.

18          EXAMINER SHOWTIS: I would intend to close  
19 the record today in this proceeding, submit the joint  
20 petition for approval of the amendment of the Service  
21 Area Agreement to the Commission for its approval, and  
22 then, assuming that approval is obtained, I would then

1       submit a recommendation to the Commission that the  
2       Commission approve the oral motion of counsel for CIPS  
3       and Shelby that this complaint be dismissed with  
4       prejudice.

5               MR. TICE:   That's fine.

6               MR. NORTHRUP:   That's acceptable.

7               EXAMINER SHOWTIS:   Do the parties see any  
8       reason to keep this record over?

9               MR. TICE:   Not for Shelby, no.

10              EXAMINER SHOWTIS:   Then the record will be  
11       marked heard and taken.

12                               HEARD AND TAKEN

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1 STATE OF ILLINOIS       )  
                                  )SS  
2 COUNTY OF SANGAMON     )  
CASE NO.: 00-0646  
3 TITLE: SHELBY ELECTRIC COOPERATIVE -vs- CIPS

4 CERTIFICATE OF REPORTER

5 I, Carla J. Boehl, do hereby certify that I am a  
6 court reporter contracted by Sullivan Reporting  
7 Company of Chicago, Illinois; that I reported in  
8 shorthand the evidence taken and proceedings had on  
9 the hearing on the above-entitled case on the 10th  
10 day of April, 2001; that the foregoing 6 pages are a  
11 true and correct transcript of my shorthand notes so  
12 taken as aforesaid and contain all of the proceedings  
13 directed by the Commission or other persons  
14 authorized by it to conduct the said hearing to be so  
15 stenographically reported.

16 Dated at Springfield, Illinois, on this 23rd day  
17 of April, A.D., 2001.

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20 Certified Shorthand Reporter

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